

## **REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

The specification and claim 29 have been amended to overcome the objections thereto.

Claims 22-42 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. The Examiner alleges that the term "nonaqueous miniemulsion" is confusing. Applicants respectfully traverse.

The term "nonaqueous miniemulsion" is explained on page 2, line 35 to page 4, line 3 and on page 6, lines 4 to 35 of the specification. The term "nonaqueous" refers to the continuous phase, which may be an apolar organic phase (which is nonaqueous per se), or which may be a polar organic phase, e.g., formamide, dimethylacetamide or glycol. The osmotically stabilizing component mixes with the disperse phase.

A distinction may be drawn between embodiments which are covered by claims 28/29 and claims 30/31, respectively. On the one hand, the continuous phase is an apolar organic component and the disperse phase is a polar organic phase which is immiscible with the continuous phase. The disperse phase comprises polar reactants which are osmotically stabilized by small amounts of water or salts. Although the disperse phase may contain some water, the microemulsion as such is a nonaqueous emulsion. On the other hand, the continuous phase is a polar organic phase and the dispersed phase comprises apolar reactants. In this case, the stabilizing agent consists of apolar compounds. This miniemulsion is, therefore, nonaqueous per se. Therefore, claim 22 has not been amended as it is believed the phrase is definite.

With respect to the phrase "inorganic polymerization" the Examiner is referred to page 4 of the specification for a discussion of that term. Claim 38 has also been amended for clarification. Withdrawal of all rejections based on 35 U.S.C. § 112, second paragraph is requested.

Claims 22, 23, 28, 29, 37, 38 and 40-42 were rejected as allegedly anticipated or obvious over Linehan. Applicants respectfully traverse, because Linehan does not disclose a method that includes a polymerization, organic, inorganic or otherwise, as is presently claimed.

Claims 22-24 and 29 were rejected as allegedly anticipated by or obvious over Candau. Applicants respectfully submit that Candau does not disclose the claimed range of 0-10% water content in the microemulsions. The Examiner is referred to and specifically requested to review Examples 3 and 6 of Candau with respect to water content of the emulsions. When considering Candau's examples, the amount of water in the aqueous disperse phase containing the reactants is roughly about 50% or more, which is significantly more than is required for osmotic stabilization. In contrast, in the miniemulsions of the present invention the amount of water in the disperse phase is 6% or less.

Claims 22-24 and 29 were rejected as allegedly anticipated by or obvious over Kozakiewicz. Applicants respectfully traverse. The examples of Kozakiewicz employ water as a solvent in an amount larger than 10%.

Claims 22-34 were rejected under 35 U.S.C. § 103(a) as allegedly obvious over Jenkins in view of Kozakiewicz or Linehan. Applicants respectfully traverse.

The Jenkins reference discloses a method for polymer production. Col. 8, lines 29-to 31 refers to nonaqueous dispersion polymerization in a very general form, without specifying the subject matter of the present claim, claiming polymerization in the presence of an osmotically stabilizing component and a surfactant.

Kozakiewicz discloses a microemulsion polymerization process employing an aqueous solution of the reactants as the disperse phase. The total water content of the emulsion is greater than 10%. The water content of the disperse phase is in the range of 50%.

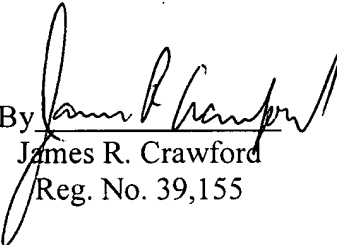
The obviousness objection over Jenkins in view of Kozakiewicz or Linehan is based upon the fact that Jenkins does not disclose miniemulsion polymerization with the specification required by the amended claims. Linehan refers to a method for producing a nanometer-sized metal compound and is therefore not relevant for the synthesis of organic polymers. Neither Linehan nor Kozakiewicz contains any hint that water or salt may be added only in small amounts sufficient for osmotic stabilization. Thus, a person skilled in the art cannot arrive at the claimed invention. Withdrawal of this rejection is respectfully requested.

In view of the foregoing, allowance is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees due to our Deposit Account No. 50-0624, under Order No. NY-HUBR-1202-US.

Respectfully submitted

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